



## UNITED STATES PATENT AND TRADEMARK OFFICE

## Board of Patent Appeals and Interferences

FISH & RICHARDSON, PC  
P.O. BOX 1022  
MINNEAPOLIS, MN 55440-1022

Appeal No: 2009-003098  
Appellant: ERIN E DRAKELEY, MIKE AMATUCCI, LOU  
Application No: IANNUCCI, JOHN C. McDONOUGH, DAVID  
Hearing Room: MCLURE et al.  
Hearing Docket: 09/371,687  
Hearing Date: A  
Hearing Time: B  
Location: Wednesday, September 09, 2009  
09:00 AM  
Madison Building - East Wing  
600 Dulany Street, 9th Floor  
Alexandria, Virginia 22313-1450

NOTICE OF HEARING  
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: BOARD OF PATENT APPEALS AND INTERFERENCES  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: ☒ HEARING ATTENDANCE CONFIRMED ☐ HEARING ATTENDANCE WAIVED

[Signature]  
Signature of Attorney/Agent/Appellant

9/1/09  
Date

29,670  
Registration No.

Names of other visitors expected to accompany counsel: C. McDonough

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/web/offices/tcom/counsel/contact.htm#bpa\\_contacts](http://www.uspto.gov/web/offices/tcom/counsel/contact.htm#bpa_contacts)

Attorney Docket No.: 08575-0048001

Client Ref. No.: Pretender

**OFFICIAL COMMUNICATION FACSIMILE:**

**OFFICIAL FAX NO: (571) 273-0299**

Number of pages including this page 3

Applicant : Erin Drakeley et al.

Art Unit : 3692

Serial No. : 09/371,687

Examiner : Elda G. Milef

Filed : August 10, 1999

Title : PROVIDING ONE PARTY ACCESS TO AN ACCOUNT OF ANOTHER  
PARTY

Commissioner for Patents

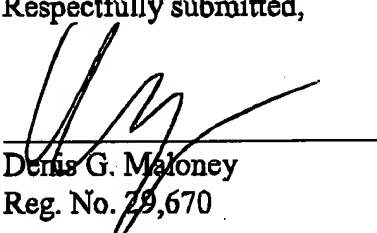
P.O. Box 1450

Alexandria, VA 22313-1450

A Notice of Confirmation of Hearing and Request for Telephonic Oral Hearing dated  
September 1, 2009 are attached. The Clerk of the Board of Patent Appeals and Interferences  
agreed to accept late submission of attendance at the hearing.

Respectfully submitted,

Date: September 1, 2009

  
Denis G. Maloney  
Reg. No. 29,670

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Attorney's Docket No.: 08575-0048001 / Pretender

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Erin Drakeley et al.  
Serial No. : 09/371,687  
Filed : August 10, 1999  
Title : PROVIDING ONE PARTY ACCESS TO AN ACCOUNT OF ANOTHER PARTY

Art Unit : 3692  
Examiner : Elda G. Milef  
Conf. No. : 9542

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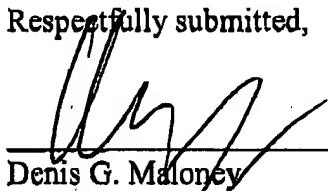
REQUEST FOR TELEPHONIC ORAL HEARING PURSUANT TO M.P.E.P. 1209

By this paper addressed to the Chief Clerk of the Board Appellant requests that the Oral Hearing scheduled for Wednesday September 9, 2009 be by telephone. Appellant will bear all of the telephonic costs associated with this request. Per call with the Clerk's office, the Clerk has kindly agreed to accept late transmission of this confirmation of attendance.

Please apply any other charges or credits to Deposit Account No. 06-1050 referencing Attorney Docket Number 09857-0044001.

Respectfully submitted,

Date: 9/1/09

  
\_\_\_\_\_  
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## CERTIFICATE OF (A) MAILING BY FIRST CLASS MAIL OR (B) TRANSMISSION

I hereby certify under 37 CFR §1.8(a) that this correspondence is either (A) addressed as set out in 37 CFR §1.1(a) and being deposited with the United States Postal Service as first class mail with sufficient postage, or (B) being transmitted by facsimile in accordance with 37 CFR § 1.6(d) or via the Office electronic filing system in accordance with 37 CFR § 1.6(a)(4), on the date indicated below:

September 1, 2009

Date of Deposit or Transmission

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Sharon Fernald

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Approved  
9/1/09  
SECOND ONE  
THIS session  
MAKE sure  
THIS ONE  
STARTS @  
0930 AM